



SENTENCING IN WISCONSIN

Snapshots of Information on Wisconsin Sentencing

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Sentencing Guidelines Worksheet Submissions Update

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Per statutory charge, the Wisconsin Sentencing Commission is required to monitor and compile data regarding sentencing practices in the state. To fulfill this requirement, the Commission adopted a two-page worksheet crafted by the Criminal Penalties Study Committee. The worksheet collects sentencing information on 11 crimes that consume a majority (75%) of corrections resources and represent all major offense types—violent, property, sex, and drugs. Judges are asked to indicate the factors they considered in their decision and, based on the delineation of those factors, then to decide if the offender posed a lesser, medium, or heightened risk of future offending and if the offense severity was mitigated, intermediate, or aggravated.

This Snapshot is an update on sentencing guidelines worksheet submissions since their inception in February 2003. Between February 2003 and March 2005, the Commission received nearly 2,000 worksheets. This report is based on information collected from 1,713 valid cases.

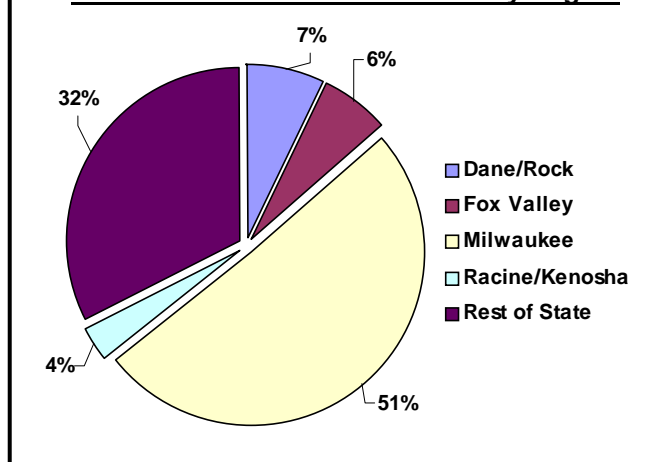
Worksheet Submissions by Region

As mandated by law, the Commission is required to report on five major regional groups: Dane and Rock Counties, Fox Valley (Calumet, Outagamie, Brown, and Winnebago Counties), Milwaukee County, Racine and Kenosha Counties, and the rest of the state.

Chart 1 provides a breakdown of worksheet submissions by these five regions. Of the 1,713 worksheets, 863 were submitted by courts in the Milwaukee region. This represented over half (51%) of all worksheets received by the Commission. The rest of the state submitted the second largest amount of worksheets (555) with 32%. The remaining three regions—Dane/Rock, Fox Valley, and Racine/Kenosha—each maintained less than 10% of

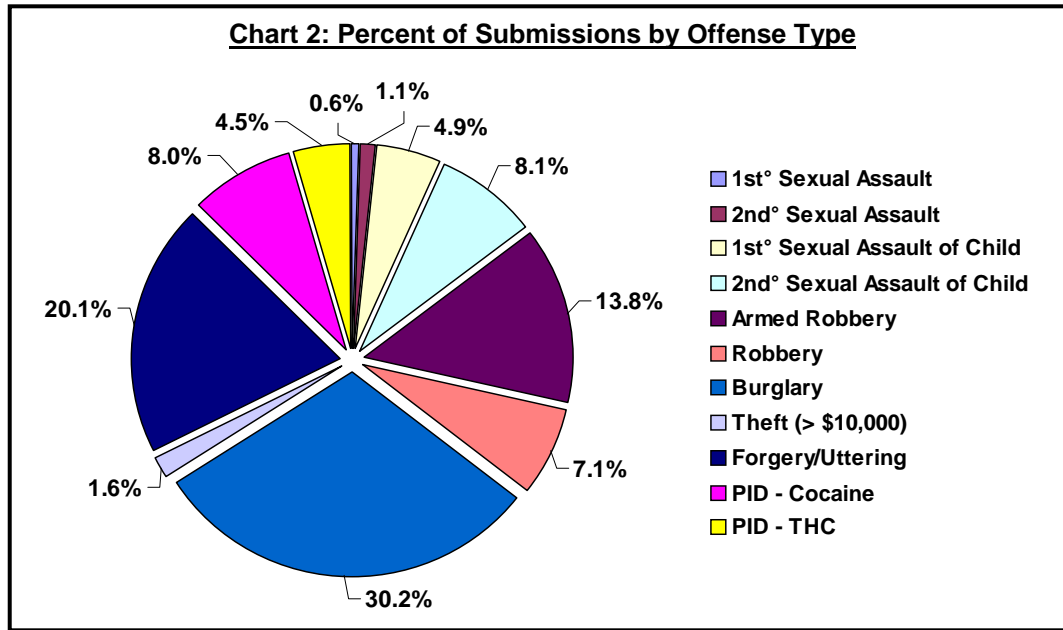
the total number of worksheets received. Of the 1,713 worksheets, 123 (7%) were submitted from the Dane/Rock region, 111 (6%) from the Fox Valley region, and 61 (4%) from the Racine/Kenosha region.

Chart 1: Percent of Submissions by Region



Worksheet Submissions by Offense Type

As discussed above, the Commission receives guidelines worksheets for 11 different felony offenses. Chart 2 provides a breakdown of worksheet submissions by type of offense. Burglary worksheets are the most commonly submitted (30.2%), followed by Forgery/Uttering worksheets (20.1%). Armed Robbery worksheets are submitted nearly twice as frequently as those for Robbery (13.8% and 7.1%, respectively). Combined, worksheets received for drug crimes (PID-Cocaine, 8.0% and PID-THC, 4.5%) and child sexual assaults (1st Degree, 4.9% and 2nd Degree, 8.1%) represent over 25% of the total. First Degree Sexual Assault, Second Degree Sexual Assault, and Theft posted the smallest numbers at 0.6%, 1.1% and 1.6%, respectively.



Worksheet Submissions by Region and Crime

Table 1 provides the total number of worksheet submissions by region and offense type. Several differences as well as similarities can be found between the five regions. For instance, in all but one region (Dane/Rock), Burglary is the most frequently submitted worksheet offense. Conversely, in all but the same region, First Degree Sexual Assault is the least frequently submitted worksheet.

Perhaps the most notable observation of this table is the high percentage rates for Armed Robbery and Robbery in Milwaukee (21.5% and 10.4%, respectively). Milwaukee also has the highest submission rate for PID-Cocaine

(11.6%), but Racine/Kenosha (9.8%) and Fox Valley (9.0%) follow closely behind.

Also important to note, nearly 50% of all the Dane/Rock submissions are for Forgery/Uttering. This is nearly double the next closest regions (Fox Valley, 23.4% and Racine/Kenosha, 23.0%).

Although the results of this Snapshot have the ability to provide useful information on sentencing practices, it is important to recognize the limitations associated with the relatively small numbers in some of the categories and their effect on percentage rates.

Table 1: Total Submissions by Region and Offense Type

	Dane/Rock	Fox Valley	Milwaukee	Racine/Kenosha	Rest of State
	N (%)	N (%)	N (%)	N (%)	N (%)
1st° Sexual Assault	2 (1.6)	0 (0.0)	4 (0.5)	0 (0.0)	4 (0.7)
2nd° Sexual Assault	2 (1.6)	3 (2.7)	6 (0.7)	0 (0.0)	8 (1.4)
1st° Child Sexual Assault	7 (5.7)	10 (9.0)	22 (2.5)	8 (13.1)	37 (6.7)
2nd° Child Sexual Assault	9 (7.3)	15 (13.5)	45 (5.2)	5 (8.2)	64 (11.5)
Armed Robbery	16 (13.0)	7 (6.3)	186 (21.5)	4 (6.5)	24 (4.3)
Robbery	4 (3.3)	2 (1.8)	90 (10.4)	1 (1.6)	25 (4.5)
Burglary	14 (11.4)	33 (29.7)	227 (26.3)	19 (31.1)	224 (40.4)
Theft (> \$10,000)	1 (0.8)	1 (0.9)	12 (1.4)	1 (1.6)	13 (2.3)
Forgery/Uttering	57 (46.3)	26 (23.4)	140 (16.2)	14 (23.0)	107 (19.3)
PID – Cocaine	2 (1.6)	10 (9.0)	100 (11.6)	6 (9.8)	19 (3.4)
PID – THC	9 (7.3)	4 (3.6)	31 (3.6)	3 (4.9)	30 (5.4)
TOTAL	123	111	863	61	555